

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. Applicant would also like to thank the Examiner for his time. The application has been carefully amended to more clearly and particularly describe the subject matter which applicant regards as the invention.

By the present amendment, claims 1, 6-8, and 17-18 are amended, claims 19-35 are new to the application, and claims 5, 9, and 14 are canceled. As such, it is now respectfully submitted that each of the claims 1-4, 6-8, 10-13, and 15-35 are in condition for allowance.

Claims 1-7 and 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been amended to correct the noted deficiencies. Particular attention is directed to claim 1. The claim has been amended to clarify that the rows of the blocks extend in a first direction which is perpendicular to the strips and that a block is present at every second row in a second direction parallel to the strips. An example of this is shown in FIG. 1. The first direction perpendicular to the strips refers to a vertical row in this example. The blocks are present in every other space between the strips in this vertical row. The second direction parallel to the strips refers to a horizontal direction intersecting each of the vertical rows in this example. The blocks are present in every other vertical row when traveling in this horizontal direction. In light of the amendments, withdrawal of the rejection is respectfully requested.

Claims 1 and 4-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Lemerrier (U.S. Patent No. 4,055,464). Withdrawal of the rejection is respectfully requested for at least the following reasons. Claim 1 recites "the supports comprise blocks which are laid out in rows, the rows extending in a first direction which is perpendicular to the strips, the blocks occupying every other space between the strips along the rows and being present at every second row in a second direction which is parallel to the strips." Lemerrier does not teach or describe these claim elements. Lemerrier is silent on the positions or relative arrangement of the mesh elements. Rather, Lemerrier describes only that "there is mounted a flexible stack of wire fabric or

wire mesh elements 6." Col. 2, lines 31-36. It is unclear from Lemerrier what (A) is. The Office action also asserts that flexible strips (A) are separated by supports (B) in Examiner's Attachment "A" of Fig. 1 of Lemerrier. Even if (A) could be considered to be the strips, this element is located in every space between the supports (B), not every other space. FIG. 1 of Lemerrier also does not disclose "the sealing joint being compressible until the spring plates come to mutual contact between pairs of the supports," as recited in claim 1 and an example of which is shown in FIG. 1C. In contrast, Lemerrier's orientation would not allow either the strips (A) or the supports (B) to be placed into mutual contact.

In addition, claim 6 has been amended for clarification purposes and is fully supported in the specification as originally filed. Claim 6 recites a sealing joint "further comprising at least one ring connecting together a plurality of said blocks." Lemerrier also does not teach these recited claim elements.

Lemerrier also does not teach the recited claim elements of claim 8. Claim 8 recites "the strips contacting at support points located on either side of the strip being staggered wherein the support points occupy every other space between the strips." Lemerrier does not teach that the support points occupy every other space between the strips. As said in the discussion for claim 1, Lemerrier is silent on the positions or relative arrangement of the mesh elements. Moreover, It is unclear from Lemerrier what (A) is, as seen in the Examiner's Attachment A. Even if (A) could be considered to be the strips, the FIG. 1 of Lemerrier shows a different arrangement for the strips (A) and the supports (B). In contrast to claim 8, Lemerrier shows the alleged strips (A) located in every space between the supports (B), not every other space. Therefore, the applicant respectfully requests that the rejection of claims 1 and 4-18 be withdrawn, as each of these claims depends from independent claims 1 and 8 and Lemerrier does not teach each and every element of the claims.

It is respectfully requested that the rejection of claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Lemerrier in view of Demaray et al. (U.S. Patent No. 6,436,509) also be withdrawn. First, as said in the MPEP, references cannot be combined where the references teach away from the resultant combination. MPEP 2145. Here, it is respectfully suggested that the references teach away from a combination between the Lemerrier reference and the Demaray reference. A person

with ordinary skill in the art would not combine the rigid insulator (133) of Demaray with the mesh elements (6) of Lemerrier. Demaray describes that “[t]he rigid central portion 802 inhibits deformation of the [sealing] structure 133. Inhibition of deformation is important both in terms of handling of the structure and to ensure that the sealing capability of the structure is not impaired under extreme vacuum conditions and pressure applied by mating surfaces.” Col. 11, lines 61-67. Thus, there is no motivation to alter the Lemerrier reference and use the design of the Demaray reference which only teaches rigid materials being used for an insulator. The Lemerrier reference would be rendered inoperable for its stated purpose if it was combined with the elements of the Demaray reference.

Even if a motivation to combine the two references is present, it is respectfully suggested that the Lemerrier reference and the Demaray reference do not teach or suggest each of the elements recited in the amended claims. Claim 1 recites “the supports comprise blocks which are laid out in rows, the rows extending in a first direction which is perpendicular to the strips, the blocks occupying every other space between the strips along the rows and being present at every second row in a second direction which is parallel to the strips.” As already stated, Lemerrier does not teach or describe these claim elements. Demaray also does not teach or describe these elements. Furthermore, neither reference describes that “the sealing joint being compressible until the strips come to mutual contact between pairs of the supports,” as recited in claim 1. In contrast, Lemerrier’s orientation would not allow either the strips (A) or the supports (B) to be placed into mutual contact. Neither Lemerrier nor Demaray disclose any teachings or motivations for the recited limitations nor provide any predictions for this advantageous type of structure. Thus, for at least the reasons provided, neither Lemerrier nor Demaray, individually or in combination, teach or suggest each and every element of amended claim 1, which claims 2 and 3 depend from. Accordingly, withdrawal of this rejection is respectfully requested.

New independent claim 19 is similar to claim 1 but also includes the limitation of “the blocks each contacting two of the plates.” This is not shown in the references or the marked up drawing of Lemerrier. Claim 19 is allowable for at least the same reasons that claim 1 is allowable. New claims 20-28 are dependent on claim 19 and are similar with respect to claims 2-4, 6-7, and 10-13. Thus, the new dependent

claims are at least allowable for the same reasons that the similar, corresponding claims are allowable. New claim 29 includes the limitation of the "internal structure is an assembly of at least two flexible strips." This limitation is supported in the specification and an example of an assembly of strips is shown in FIG. 2E. Thus, claim 29 is also in condition for allowance.

New independent claim 30 is similar to claim 8 but also includes the limitation of the "support points each contact two of the strips." Claim 30 is allowable for at least the same reasons that claim 1 is allowable. New claims 31-34 are dependent on claim 29 and are similar with respect to claims 15-18. Thus, the new dependent claims are at least allowable for the same reasons that the similar, corresponding claims are allowable. New claim 35 includes the limitation that the "flexible internal structure is an assembly of at least two flexible, corrugated flexible strips." This limitation is also supported in the specification and an example of an assembly of strips is shown in FIG. 2E. Thus, claim 35 is also in condition for allowance.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. BRV-38469.

Respectfully submitted,
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